If the P2 practice and modification are not listed in Table 8, the control/permitting authority does need to approve the practice with modification prior to discharge.

When is the periodic certification required, now or after November 6, 1999?

The periodic certification requirement begins after the facility has submitted their initial certification and is required twice per year for indirect dischargers and once per year for direct dischargers. The timing of submittal can be coordinated with the submittal of compliance paperwork required by the General Pretreatment Regulations or the NPDES regulations.

If a customer asks a facility to begin making a new product, when must the control authority be notified and when can discharge begin?

The facility must notify their control/permitting authority if a change in discharge is occurring, implement the appropriate P2 practices, update their treatment system to include the appropriate or equivalent treatment if new pesticide active ingredients exist in the wastewater to be treated, and receive approval before discharging wastewater associated with the new product. A facility is allowed to begin production at any time; however, they may need to store the generated wastewater until discharge approval is received.

Other Questions

The Section 403 regulations were revised to change the language from a "pretreatment agreement" to "control mechanism" because of concerns regarding the legal implications of that language. The PFPR regulations seem to be adding the pretreatment agreement language back in. Why are the two regulations inconsistent?

The term "pretreatment agreement" in the PFPR regulation was not used intentionally; it is intended to be a synonym for an individual control mechanism or permit.

Is there any way the government can track the commodity chemicals used in pesticide products by PFPR and pesticide manufacturing facilities?

Facilities are required to submit Confidential Statements of Formula (CSFs) to EPA, which include the specific "recipe" for the product registered; however, these recipes are typically considered confidential business information (CBI) under FIFRA.

Also, facilities are required to report emissions of toxic chemicals under the SARA Section 313 program (i.e., the Toxic Release Inventory program). However, PFPR facilities often do not use toxic chemicals in the amounts necessary to trigger reporting under this program, although some pesticide manufacturers do.

How did EPA come to the conclusion that facilities would store wastewater and treat it quarterly?

A storage period of 90 days or longer prior to treatment is not uncommon in this industry, based on information EPA gathered during site visits. EPA originally evaluated batch treatment of PFPR wastewater on a quarterly basis because of possible RCRA requirements that might be applicable if wastewater was stored for more than 90 days on site (or 180 days for small quantity generators). EPA determined that, under the P2 alternative, wastewater stored for more than 90 days prior to reuse would not need a RCRA storage permit if it was hazardous. Most interior rinsates are expected to be reused and/or be non-RCRA hazardous. See page 57529 of the preamble to the final rule in Appendix A for more detail.

When facilities are treating RCRA-hazardous wastewaters prior to discharge, the 90-day limit for large quantity generators (and the 180-day limit for small quantity generators) still applies. In addition, EPA believes that facilities will wish to limit the length of time that wastewater is stored prior to treatment even when non-hazardous.

Was toxicity testing considered in lieu of the P2 alternative?

No, the Clean Water Act requires effluent limitations guidelines and standards to be technology-based, not risk-based. However, toxicity-testing may be used in combination with the P2 alternative to provide a surrogate measure for demonstrating that the treatment system is well operated and maintained.

Will the P2 Guidance Manual be available on the Internet?

Yes. The Guidance Manual can be found on EPA's Effluent Guidelines web site (**http://www.epa.gov/OST/guide**) under the Pesticide Formulating, Packaging, and Repackaging Industry.

Is there a place where treatability data could be logged or collated so all facilities can utilize the results?

At this time, there is no specific clearinghouse for information on PFPR treatment technologies or treatability data. However, interested parties can check into other EPA clearinghouses or databases on the Internet via the EPA Homepage: **http://www.epa.gov**.

How do we determine the CAS numbers of the pesticide active ingredients listed on Table 10?

EPA has included a table in Appendix C that lists pesticide active ingredients from Table 10 with their corresponding Shaughnessey codes and CAS numbers.